

REMARKS

Claims 1-20, 22-25, 27, and 32-42 are currently pending. Applicants herein cancel Claim 26 without prejudice or disclaimer to filing a continuing application.

The Office has requested restriction to claims of Group I or Group 2. Group I relates to Claims 1-20, 22-27 and 32-42, drawn to compounds of formula (I), wherein the variable R_1 - R_6 independently does not represent heteroaryl[sic] or heterocyclic ring thereof, the variable R_1 - R_6 independently is not substituted with heteroaryl[sic] or heterocyclic ring thereof, the variables R_4 and R_5 together with the carbon atoms to which they are bonded, are not a five- to seven-membered ring thereof, and tier processes of making and methods of use. Group II relates to Claims 1-20, 22-27 and 32-42, in part, drawn to compounds of formula (I), containing compounds not encompassed in Group II, and their processes of making and methods of use.

Applicants are confused because the restriction required by the examiner does not contain Applicants full invention. Further, Group II is limited to "compounds not encompassed by Group II."

Applicants respectfully submit that the Office has not provided an appropriate lack of unity requirement. Namely, the Examiner has not (1) listed the different groups of claims and (2) explained why each group lacks unity with each other group (i.e. why there is no single general inventive concept) specifically describing the unique special technical feature in each group. MPEP §1893.03(d).

The Office has also requested an election of species, but again does not list any of the various species. Applicants are assuming for the sake of prosecution that the Examiner intended Group II to encompass all compounds not encompassed by Group I.

In order to further prosecution, Applicants hereby elect to prosecute claims of Group 1, namely claims 1-20, 22-25, 27, and 32-42. Applicants also elect to prosecute the species wherein X is O. Further, it appears that the Office is limiting Group I to the species wherein the R_1 - R_6 groups do not include heteroaryl or heterocyclic rings. Upon allowance of the claims, Applicants respectfully request consideration of additional species.

Applicants traverse this election because, as stated herein, the Office has not made a proper unity restriction.

It is believed that the claims are currently in condition for review and allowance. The Examiner is asked to contact Applicants' undersigned representative to arrange for a formal interview if any action other than allowance of all claims is contemplated. Further, the Examiner is invited to contact the undersigned at any time if he has immediate questions regarding this response.

Respectfully submitted,

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